

File

**BEFORE  
THE DISTRICT OF COLUMBIA  
ALCOHOLIC BEVERAGE CONTROL BOARD**

**In the Matter of:** )  
 )  
Cha Kim & Chol Young Kim )  
t/a Brown Street Market )  
 )  
Application for a Retailer's Class )  
B License )  
at premises )  
3320 Brown Street, N.W. )  
Washington, D.C. )

Application no. 26090

**BEFORE:** Roderic L. Woodson, Esquire, Chair  
Vera Abbott, Member  
Charles Burger, Member  
Laurie Collins, Member  
Judy Moy, Member  
Ellen Oppen-Weiner, Esquire, Member  
Audrey Thompson, Member

**ORDER ON VOLUNTARY AGREEMENT**

The licensee, the Mount Pleasant Neighborhood Alliance (MPNA), and the Advisory Neighborhood Commission (ANC) 1E entered into an agreement on May 8, 2001. The agreement is one of several voluntary agreements between ABC establishments in the Mt. Pleasant area, MPNA and ANC 1E. The Board approved the license application conditioned on the applicant's compliance with the terms of the voluntary agreement, and incorporated the text of the same into the Order dated May 30, 2001.

On October 3, 2001, the Board held a fact finding on these voluntary agreements, focusing on the prohibition on the sale of single beers. On October 24, 2001, the Board took the matter under advisement and rendered its decision to continue the prohibition on the sale of single beers for one (1) year.

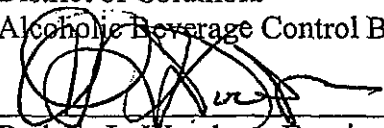
Accordingly, it is this 21st day of November 2001, **ORDERED** that:

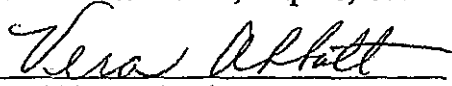
- 1) The existing voluntary agreement containing the provision prohibiting the sale of single beers, be, and the same hereby, is **CONTINUED** for one (1) year between the parties; and

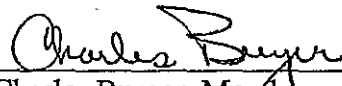
**Cha Kim & Young Chol Kim**  
**t/a Brown Street Market**  
**Page two**

- 2) The Board shall hold a fact finding hearing prior to the expiration of the restriction to determine whether to extend or eliminate the prohibition on single sales;
- 3) The permanent restriction prohibiting the licensee from selling alcoholic beverages prior to 9:30 a.m. shall remain in place; and
- 4) Copies of this Order shall be sent to the licensee, the Mount Pleasant Neighborhood Alliance and ANC 1E.

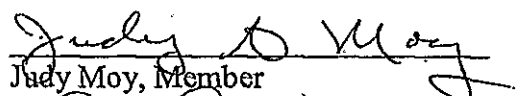
District of Columbia  
Alcoholic Beverage Control Board

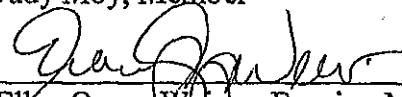
  
Roderic L. Woodson, Esquire, Chair

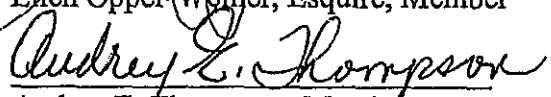
  
Vera Abbott, Member

  
Charles Burger, Member

  
Laurie Collins, Member

  
Judy Moy, Member

  
Ellen Oppenheimer, Esquire, Member

  
Audrey E. Thompson, Member

**VOLUNTARY AGREEMENT  
BETWEEN BROWN STREET MARKET  
AND THE MOUNT PLEASANT NEIGHBORHOOD ALLIANCE**

# 26090

Whereas, the Brown Street Market, located at 3220 Brown Street, N.W., Washington, D.C. 20010 ("Licensee"), has applied for the renewal of an ABC Class B license; and

Whereas, the Mount Pleasant Neighborhood Alliance ("MPNA") has filed a protest to the issuance of the license; and

Whereas, the parties have discussed the concerns of the neighborhood and have reached an understanding relating to the operation of the establishment and cooperative efforts of the Licensee and MPNA.

Now, therefore, in consideration of the agreements set forth herein, MPNA agrees to withdraw its protest and Licensee agrees to comply with the terms of the agreement as set forth hereinafter.

The following provisions will be effective from the date this Agreement is signed by both parties.

- A. That Licensee will agree not to sell alcoholic beverages before 9:30 A.M.
- B. That Licensee will not sell beer or malt liquor in single containers of 40 ounces or less. *until Nov 14, 2001 KCL/MT* On or about forty-five days prior to expiration of the prohibition on single sales set forth herein, all parties to this Agreement shall jointly petition the ABC Board for a fact-finding hearing concerning the effect this prohibition has had with respect to issues in the neighborhood involving peace, order and quiet, trash, loitering, and service to intoxicated or intemperate persons. As a result of such hearing, the Board shall determine whether to extend or eliminate the prohibition on single sales by the Licensee.
- C. As in the past, Licensee will continue to discourage loitering in front and rear of the establishment.
- D. As Licensee has not done in the past, Licensee will not knowingly sell or deliver alcoholic beverages to any intoxicated person, or to any person of intemperate habits, or to any person who appears to be intoxicated, and will cooperate with the Metropolitan Police and health and social service agencies to identify such persons. A person of intemperate habits shall be defined as any person arrested or cited for alcohol-related offenses by the Metropolitan Police for any alcohol-related crimes three times or more in any one year and who has been so identified to the Licensee by the Metropolitan Police Department by giving a photo and name to the licensee.

The parties agree further:

- E. That MPNA will support the renewal of the Licensee's ABC license in consideration of agreement to these provisions.
- F. That the parties will reasonably work with the Metropolitan Police to eliminate illegal alcohol sale and consumption and loitering in the Commission's jurisdiction.
- G. That MPNA will meet with the Licensee at Licensee's reasonable request or that the Licensee will meet with MPNA at MPNA's reasonable request to discuss and resolve matters of mutual concern at a mutually agreeable time and place.

# Mount Pleasant Neighborhood Alliance

P.O. BOX 21554 • WASHINGTON, DC • 20009  
PHONE: (202) 246-5113 • FAX: (202) 265-4032

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May 8, 2001

Via Facsimile (202/727.9685) and Hand Delivery

Mr. Roderick Woodson, Chair  
Alcoholic Beverage and Control Board  
Business Regulation Administration  
Department of Consumer and Regulatory Affairs  
941 North Capitol Street, NE, Room 700  
Washington, DC 20001

Re: Kum Cha & Young Chol Kim  
t/a Brown Street Market  
3320 Brown St., NW  
Ret.B – renewal applic. – Case No.26090-00033P

Dear Mr. Woodson:

We are pleased to announce that The Mount Pleasant Neighborhood Alliance (MPNA) and Brown Street Market have signed the enclosed voluntary agreement. Therefore, in consideration of the above, MPNA will support the renewal of this ABC license.

We look forward to the Board's review and approval of the Agreement.

Please do not hesitate to contact me with any questions you may have on Tel. 202/246.5113.

Sincerely,



Marika Torok  
President, MPNA

Enclosure